

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

| | | |
|--|---|------------------------|
| Spartanburg Regional Health Services |) | |
| District, Inc. d/b/a Spartanburg Regional |) | |
| Healthcare System, Spartanburg Regional |) | |
| Medical Center, Spartanburg Hospital for |) | |
| Restorative Care, and B.J. Workman |) | |
| Memorial Hospital, on behalf of themselves |) | |
| and others similarly situated, |) | |
| |) | |
| Plaintiff, |) | C.A. No. 7:03-2141-HFF |
| |) | |
| vs. |) | |
| |) | |
| Hillenbrand Industries, Inc., Hill-Rom, Inc. |) | |
| and Hill-Rom Company, Inc., |) | |
| |) | |
| Defendants. |) | |

ORDER

This matter comes before the Court on the motion of the Plaintiff to authorize the Settlement Administrator to pay certain class members their pro rata shares of the Net Settlement Fund (the "Fund") and to authorize cy pres distribution of remaining settlement funds to NXT, Inc.

After consideration of the motion, it is, this 9th day of May , 2008, hereby **ORDERED** as follows:

1. The Settlement Administrator is authorized to pay pro rata shares of the Fund to WakeMed Health and Hospitals, Washington County Health System and Ms. Theresa Sbarra. These claimants' pro rata shares shall be calculated in the same manner and in the same proportion set forth in Class Counsel's April 2, 2007 Unopposed Motion to Authorize the Settlement Administrator to Distribute the Net Settlement Fund in Pro Rata Shares to Class Members with Approved Claims, as approved by the Court in its Order dated July 2, 2007. If the

total amount remaining in the Fund at the time of such disbursement is insufficient to pay each valid claim, the distributions to each such Class Member will be further pro-rated to reflect each valid claimant's proportional share.

2. Subject to paragraph 3 below, the Settlement Administrator is authorized to make a cy pres distribution to NXT, Inc. of all funds remaining in the Fund at the time of such distribution.

3. Class Counsel shall file with the Court a Notice of Completed Administration and Cy Pres Distribution (the "Notice"), along with an appropriate Order, within 10 days after the occurrence of the all of the following: (i) all checks issued to Class Members have been presented for payment, have expired or been abandoned; (ii) the Settlement Administrator's final expenses have been paid; (iii) the Fund's U.S. income tax obligations have been satisfied; and (iv) the Fund is ready for shutdown.

It is further hereby **ORDERED** that Class Counsel is authorized, in conjunction with the Settlement Administrator, to take such reasonable steps as may be necessary to give effect to this Order.

IT IS SO ORDERED.

Signed this __9th__ day of __May_____, 2008, in Spartanburg, South Carolina.

s/Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE